

**AMENDMENT:**

This listing of claims will replace all prior versions, and listings, of claims in the application.

Where claims have been amended and/or canceled, such amendments and/or cancellations are done without prejudice and/or waiver and/or disclaimer to the claimed and/or disclosed subject matter, and the assignee reserves the right to claim this subject matter and/or other disclosed subject matter in a continuing application.

**Claim Listing:**

1. (Currently Amended) A method for delivering an asset over a network comprising:

supplying an asset list ~~by a content provider over~~ [[the]] said network to a user device, said user device including a client process; and

delivering [[the]] said asset~~[[.]] corresponding to the asset list[[.]]~~ over [[the]] said network to [[the]] said user device [[when]] if a predetermined constraint is satisfied.

2. (Currently Amended) The method according to claim 1, wherein [[the]] said asset [[is]] comprises at least one of an audio content, a video content, a text content, a right to use license or a multimedia file.

3. (Currently Amended) The method according to claim 1, wherein [[the]] said asset list is generated [[by]] at least in part in response to a request from [[the]] said user device.

4. (Currently Amended) The method according to claim 1, and further including comprising accessing a content web site of a content provider.

5. (Currently Amended) The method according to claim 1, wherein [[the]] said predetermined constraint [[is]] comprises at least one of [[the]] said user device being idle, [[the]] a network Quality of Service (QOS) of said network, or the bandwidth usage being below a predetermined operating level.

6. (Currently Amended) The method according to claim 1, wherein [[the]] said predetermined

constraint ~~[[is]] comprises~~ at least one of ~~[[the]] said~~ user device CPU usage, or memory usage in ~~[[the]] said~~ user device being below predetermined operating levels.

7. (Currently Amended) The method according to claim 1, wherein ~~[[the]] said~~ client initiates the delivery of the asset, from ~~[[the]] said~~ content provider, over ~~[[the]] said~~ network to ~~[[the]] said~~ user device.

8. (Currently Amended) The method according to claim 1, wherein ~~[[the]] said~~ asset is stored on a local cache.

9. (Currently Amended) The method according to claim 8, and further comprising presenting the stored asset in conjunction with real time content, said real time content provided by ~~[[the]] said~~ content provider.

10. (Currently Amended) The method according to claim 1, wherein said predetermined constraint comprises a time of day~~the time of day is included in the predetermined constraint.~~

11. (Currently Amended) The method according to claim 8, and further comprising determining at least one parameter from ~~the user device CPU usage of said user device~~, ~~[[the]] a~~ bandwidth usage, ~~[[the]] a~~ local cache usage, ~~[[and]] or a~~ user device activity timer.

12. (Currently Amended) The method according to claim 8, and further comprising presenting a substitute asset in conjunction with real time content from ~~[[the]] said~~ content provider, ~~in the event that the if said asset is unavailable at said user device the user.~~

13. (Currently Amended) A method for presenting to ~~[[an]] a user a continuous and uninterrupted stream of content over [[the]] a network~~, the method comprising:

supplying an asset list ~~by a content provider over~~ [[the]] said network to a client process, said client process operating in a user device ~~of the user~~;

delivering an asset, from a remote location, over [[the]] said network to [[the]] said user device [[when]] if a predetermined constraint is satisfied, wherein ~~information of the~~ said asset list comprises at least an indication of said ~~remote location is obtained from the asset list~~;

and integrating the delivered asset with a content stream being received by [[the]] said user device from [[the]] said remote location over [[the]] said network, ~~and thereby providing the user with a continuous and uninterrupted stream of content.~~

14. (Currently Amended) The method according to claim 13, wherein [[the]] said asset [[is]] comprises at least one of an audio content, a binary data content, a video content, a right to use license, a text content, or a multimedia file.

15. (Currently Amended) The method according to claim 13, wherein [[the]] said asset list is provided by [[the]] a content provider to [[the]] said client process.

16. (Currently Amended) The method according to claim 13, and further comprising ~~including~~ accessing a content web site of a content provider.

17. (Currently Amended) The method according to claim 13, wherein [[the]] said predetermined constraint ~~includes~~ comprises at least one of [[the]] said user device being idle, [[the]] a network Quality of Service (QOS), or [[the]] a bandwidth usage being below ~~a predetermined~~ an operating level.

18. (Currently Amended) The method according to claim 13, wherein [[the]] said predetermined constraint ~~includes~~ comprises at least one of [[the]] a CPU usage for [[the]] said user device, or the user device a memory usage of said user device being below ~~predetermined~~ an operating ~~level~~ levels.

19. (Currently Amended) The method according to claim 13, wherein ~~[[the]]~~ said client process initiates the delivery of ~~[[the]]~~ said asset, from ~~[[the]]~~ a content provider, over ~~[[the]]~~ said network to ~~[[the]]~~ said user device.

20. (Currently Amended) The method according to claim 13, wherein ~~[[the]]~~ said asset is stored on a local cache.

21. (Currently Amended) The method according to claim 20, and further comprising presenting the stored asset in conjunction with real time content, said real time content provided by ~~[[the]]~~ a content provider.

22. (Currently Amended) The method according to claim 13, wherein said predetermined constraint comprises a ~~[[the]]~~ time of day ~~is included in the predetermined constraint~~.

23. (Currently Amended) The method according to claim 20, and further comprising determining at least one parameter from ~~the user device~~ a CPU usage of said user device, ~~[[the]]~~ a bandwidth usage, ~~the local cache~~ a usage of said local cache, ~~[[and]]~~ or a user device activity timer.

24. (Currently Amended) The method according to claim 20, and further comprising presenting a substitute asset in conjunction with real time content from ~~[[the]]~~ a content provider, ~~in the event that the if~~ said asset is unavailable at ~~[[the]]~~ said user device.

25. (Currently Amended) The method according to claim 13, wherein ~~[[the]]~~ said asset list is delivered to ~~[[the]]~~ said client process by a content provider.

26. (Currently Amended) A system for presenting ~~to an user a continuous and uninterrupted stream of content over~~ a network ~~the Internet~~, the system comprising:

an asset list capable of being made available by a content provider over the internet to a client process, said client process capable of operating in a user device ~~of the user~~;

an asset, made available from a remote location, over ~~[[the]]~~ said network to ~~[[the]]~~ said user device ~~[[when]]~~ if a predetermined constraint is satisfied, wherein ~~information of the~~ said asset list comprises at least an indication of said remote location ~~is obtained from the asset list~~.

27. (Currently Amended) The system according to claim 26, and further comprising ~~including~~ an integrator tool for integrating ~~[[the]]~~ a delivered asset with a content stream being received by ~~[[the]]~~ said user device from ~~[[the]]~~ said remote location over said network ~~the internet, and thereby providing the user with an uninterrupted stream of content~~.

28. (Currently Amended) The system according to claim 26, wherein ~~[[the]]~~ said asset ~~[[is]]~~ comprises at least one of an audio content, a video content, a binary data content, a text content, or a multimedia file.

29. (Currently Amended) The system according to claim 26, wherein ~~[[the]]~~ said asset list is to be provided to ~~[[the]]~~ said client process by ~~[[the]]~~ said content provider.

30. (Currently Amended) The system according to claim 26, wherein said client process is capable of accessing ~~further including accessing~~ a content web site of said ~~[[a]]~~ content provider.

31. (Currently Amended) The system according to claim 26, wherein said asset is to be made available ~~if~~ ~~[[the]]~~ said predetermined constraint ~~includes~~ ~~comprises~~ at least one of ~~[[the]]~~ said user device being idle, or ~~[[the]]~~ a bandwidth usage being below a ~~predetermined~~ an operating level.

32. (Currently Amended) The system according to claim 26, wherein said asset is to be made available ~~if~~ ~~[[the]]~~ said predetermined constraint ~~includes~~ ~~comprises~~ ~~the user device~~ a CPU usage of said user device, or ~~the user device~~ a memory usage of said user device being below ~~predetermined~~ an

operating ~~level~~ levels.

33. (Currently Amended) The system according to claim 26, wherein ~~[[the]]~~ said client process is capable of initiating ~~initiates the~~ delivery of ~~[[the]]~~ said asset, from ~~[[the]]~~ said content provider, over ~~[[the]]~~ said network to ~~[[the]]~~ said user device.

34. (Currently Amended) The system according to claim 26, wherein ~~[[the]]~~ said asset is to be stored on a local cache.

35. (Currently Amended) The system according to claim 34, and further comprising means for presenting the stored asset in conjunction with real time content, said real time content provided by ~~[[the]]~~ said content provider.

36. (Currently Amended) The system according to claim 26, wherein said asset is to be made available if said predetermined constraint comprises ~~[[the]]~~ time of day is included in the predetermined constraints.

37. (Currently Amended) The system according to claim 34, and further comprising means for determining at least one parameter from ~~the user device~~ a CPU usage of said user device, ~~[[the]]~~ a bandwidth usage, ~~[[the]]~~ a local cache usage, ~~[[and]]~~ or a user device activity timer.

38. (Currently Amended) The system according to claim 34, and further comprising means for presenting a substitute asset in conjunction with real time content from ~~[[the]]~~ said content provider, ~~in the event that the~~ if said asset is unavailable at ~~[[the]]~~ said user device.

39. (Currently Amended) The system according to claim 26, wherein ~~[[the]]~~ said asset list is capable of being updated periodically by ~~[[the]]~~ said content provider.

40. (Currently Amended) The system according to claim 26, wherein ~~[[the]]~~ said client process is capable of being associated with a plurality of asset lists.

41. (Currently Amended) The system according to claim 26, wherein ~~[[the]]~~ said asset list comprises ~~includes~~ at least one of an expiration date, a callback URL, a client side token, a throttle parameter, a refresh rate parameter, a delete asset flag, a help link, ~~[[and]]~~ or resource path information.

42. (Currently Amended) The system according to claim 26, wherein ~~[[the]]~~ said asset is capable of being delivered to at least one of a cable provider or an internet service provider before delivery of ~~[[the]]~~ said asset to ~~[[the]]~~ said user device, said cable and internet service provider being in geographical proximity to ~~[[the]]~~ said user device.

43. (Currently Amended) A method for presenting ~~to an user~~ a stream of content over ~~[[the]]~~ a network, the method comprising:

supplying an asset list by a content provider over ~~[[the]]~~ said network to a client process, said client process operating on a user device ~~of the user~~;

delivering an asset, from a remote location, over ~~[[the]]~~ said network to ~~[[the]]~~ said user device ~~[[when]]~~ if a predetermined constraint is satisfied, wherein said asset list comprises at least an indication of said remote location ~~information of the remote location is obtained from the asset list~~; and

integrating the delivered asset with a content stream being received by ~~[[the]]~~ said user device from ~~[[the]]~~ said remote location over ~~[[the]]~~ said network; wherein ~~[[the]]~~ said asset and ~~[[the]]~~ said content stream are ~~essentially seamlessly presented to the user~~.

44. (Currently Amended) A system for presenting ~~to an user a continuous and uninterrupted stream of~~ content over a network ~~the Internet~~, the system comprising:

an asset list to be made available by a content provider over said network ~~the internet~~ to a client process, said client process capable of operating in a user device ~~device of the user~~;

an asset, to be made available from a remote location, over ~~[[the]]~~ said network to ~~[[the]]~~ said user device ~~[[when]]~~ if a predetermined constraint is satisfied, wherein said asset list comprises at least an indication of said remote location~~information of the remote location is obtained from the asset list; and~~

an integrator tool for integrating ~~[[the]]~~ said asset with a content stream being capable of received by ~~[[the]]~~ said user device from ~~[[the]]~~ said remote location over said network ~~the Internet, thereby providing the user with an uninterrupted stream of content~~~~[[,]]~~, wherein ~~[[the]]~~ said predetermined constraint comprises ~~includes~~ at least one of at least one of ~~[[the]]~~ said user device being idle, ~~the Internet~~ a bandwidth usage of said network being below a predetermined operating level, ~~[[the]]~~ a time of day, ~~the user device~~ a CPU usage ~~[[,]]~~ or memory usage of said user device being below ~~predetermined operating levels.~~

45. (Currently Amended) A method for receiving an asset over a network comprising:

~~delivering~~ receiving an asset list provided by a content provider over ~~[[the]]~~ said network ~~[[to]]~~at a client, said client operating in a user device; and

receiving ~~[[the]]~~ said asset, corresponding to ~~[[the]]~~ at least a portion of said asset list, over ~~[[the]]~~ said network at ~~[[the]]~~ said user device ~~[[when]]~~ if a predetermined constraint is satisfied; wherein ~~[[the]]~~ said predetermined constraint ~~[[is]]~~ comprises at least one of ~~[[the]]~~ said user device being idle, ~~[[the]]~~ a network Quality of Service (QOS), ~~[[the]]~~ a network bandwidth usage being below a predetermined an operating level, ~~the user device~~ a CPU usage ~~[[,]]~~ or memory usage of said user device ~~in the user device~~ being below ~~predetermined operating levels.~~

46. (Currently Amended) A method for providing a home media library to a user over a network, the method comprising:

supplying an asset list by a content provider over ~~[[the]]~~ said network to a set-top box, ~~[[the]]~~ said set-top box ~~including~~comprising a client process ~~which manages the~~ capable of managing delivery of assets; and



delivering an asset, from a remote location, over [[the]] said network to [[the]] said set-top box [[when]] if a predetermined constraint is satisfied, as indicated by [[the]] said client process wherein said asset list comprises at least an indication of said remote location ~~information of the remote location is obtained from the asset list.~~

47. (Currently Amended) A method of ~~transmitting movies to~~ receiving media assets at a set-top box in ~~a viewer's home for storage and subsequent viewing, the method comprising the steps of:~~

receiving a media asset list from a content provider on [[a]] said set top box, [[the]] said media asset list comprising a list of media assets to be downloaded and information about the location of each of the media assets;

running a client process on [[a]] said set top box that reads the, wherein said client process is capable of reading said media asset list to determine what media assets to transfer should be transferred to the set top box, and wherein said client process is further capable of managing and manages the delivery of digital media assets based at least in part on predetermined constraints;

downloading digital media assets from ~~a remote~~ said content provider to [[the]] said set top box when the if said predetermined constraints are satisfied; and

storing the downloaded digital media assets on [[the]] said set top box for subsequent viewing by the user on a television or other display device.

48. (New) A method comprising:

delivering an asset list to a client process, wherein said asset list comprises information relating to one or more assets available to a user device executing said client process; and

delivering at least one of said one or more assets if one or more predetermined constraints are satisfied, wherein said one or more predetermined constraints are associated with said user device.

49. (New) The method of claim 48, and further comprising delivering additional content to said client process at least in part in response to a request from said user device, wherein said additional content is for presentation on a display device along with the delivered asset.

50. (New) The method of claim 49, and further comprising updating the delivered asset list if additional assets are available and/or one or more assets are no longer available.

51. (New) The method of claim 52, and further comprising limiting said user device's ability to present a delivered asset that is no longer on said asset list.

52. (New) The method of claim 49, wherein said delivering at least one of said one or more assets comprises transferring said at least one of said one or more assets to said client process at least in part in response to a request from said client process.

53. (New) The method of claim 50, and further comprising receiving a request from said client process for delivery of at least one of said additional assets.

54. (New) The method of claim 53, and further comprising delivering said at least one of said additional assets to said user device.

55. (New) The method of claim 52, wherein said one or more predetermined constraints comprise at least one of a time of day, a CPU usage or a memory usage of said user device being below an operating level, said user device being idle, or a bandwidth usage of said user device being below a predetermined operating level.

56. (New) The method of claim 49, wherein said one or more assets comprise an audio content, a video content, a binary data content, a text content, or a multimedia file.

57. (New) A method of pre-caching an asset on a user device comprising:

receiving an asset list from a content provider at said user device, wherein said asset list comprises information relating to one or more assets; and

requesting one or more assets from said content provider if one or more predetermined constraints are satisfied.

58. (New) The method of claim 57, and further comprising receiving said one of said one or more assets from said content provider.

59. (New) The method of claim 58, wherein said one or more predetermined constraints comprise at least one of a time of day, a CPU usage or a memory usage of said user device being below an operating level, said user device being idle, or a bandwidth usage of said user device being below a predetermined operating level.

60. (New) The method of claim 58, wherein said information relating to one or more assets comprises a location on a network where said one or more assets are stored.

61. (New) The method of claim 58, and further comprising receiving additional content from said content provider.

62. (New) The method of claim 61, and further comprising integrating the received one or more assets and the received additional content for display.

63. (New) The method of claim 62, wherein said one or more assets comprise at least one of audio content, video content, binary data content, text content, or a multimedia file.

64. (New) The method of claim 63, and further comprising receiving updates to said asset list.

65. (New) The method of claim 64, wherein receiving updates to said asset list comprises accepting information relating to one or more additional assets or removing information relating to one or more expired assets.

66. (New) The method of claim 65, and further comprising requesting one of said one or more additional assets from said content provider if said one or more predetermined constraints are satisfied.

67. (New) The method of claim 1, wherein said asset list comprises at least information relating to said asset.

68. (New) A method comprising:

with a client process, determining if one or more predetermined constraints are satisfied on a user device associated with said client process; and

requesting one or more assets from a content provider if at least one of said one or more predetermined constraints is satisfied.

69. (New) The method of claim 68, wherein said one or more assets correspond to one or more portions of an asset list received by said client process.

70. (New) The method of claim 69, wherein said asset list comprises a location on a network where said one or more assets are available.

71. (New) The method of claim 69, wherein said one or more predetermined constraints comprise at least one of a time of day, a CPU usage or a memory usage of said user device being below an operating level, said user device being idle, or a bandwidth usage of said user device being below a predetermined operating level.

72. (New) The method of claim 71, and further comprising receiving said one or more assets from the content provider.

73. (New) The method of claim 72, and further comprising combining the received one or more assets with additional content for presentation.

74. (New) The method of claim 73, wherein said one or more assets comprise at least one of audio content, video content, binary data content, text content, or a multimedia file.

75. (New) The method of claim 74, and further comprising receiving updates to said asset list.

76. (New) The method of claim 75, wherein receiving updates to said asset list comprises accepting information relating to one or more additional assets or deleting information relating to one or more expired assets.

77. (New) The method of claim 76, and further comprising requesting one of said one or more additional assets from said content provider, at least in part in response to said client process determining at least one of said one or more predetermined constraints are satisfied.

78. (New) A method comprising:

- generating an asset list, based at least in part on one or more user preferences, wherein said asset list comprises information relating to one or more assets;

- delivering said asset list to a client process associated with a user device; and

- at least in part in response to said client process determining one or more predetermined constraints are satisfied, delivering one of said one or more assets to said user device.

79. (New) The method of claim 78, wherein said one or more assets comprise one or more media files chosen based at least in part on said one or more user preferences.

80. (New) The method of claim 79, wherein said information relating to one or more assets at least comprises one or more network locations where said one or more assets are available.

81. (New) The method of claim 78, wherein said one or more user preferences comprise at least one of one or more categories of content provided by a content provider or information relating to a user's interests.

82. (New) The method of claim 81, wherein said one or more predetermined constraints comprise at least one of a time of day, a CPU usage or a memory usage of said user device being below an operating level, said user device being idle, or a bandwidth usage of said user device being below a predetermined operating level.

83. (New) A method comprising:

receiving content from a content provider;

combining at least one of one or more pre-cached assets with the received content; and

displaying the combined at least one of one or more pre-cached assets and the received content.

84. (New) The method of claim 83, wherein said combining comprises selecting said at least one of one or more pre-cached assets based at least in part on the received content from said content provider.

85. (New) The method of claim 84, wherein said one or more pre-cached assets comprises at least a media asset corresponding to a portion of an asset list, wherein said media asset is downloaded by a client process if one or more predetermined constraints associated with a user device are satisfied.

86. (New) The method of claim 85, wherein said one or more predetermined constraints comprise at least one of a time of day, a CPU usage or a memory usage of said user device being below an operating level, said user device being idle, or a bandwidth usage of said user device being below a predetermined operating level.

87. (New) A system comprising:

a first module operable to deliver an asset list to a client process, wherein said asset list comprises information relating to one or more assets available to a user device associated with said client process; and

a second module operable to deliver at least one of said one or more assets to said user device if said client process determines that one or more predetermined constraints associated with said user device are satisfied.

88. (New) The system of claim 87, and further comprising a third module operable to deliver content to said client process, wherein said content is for presentation along with a delivered at least one of said one or more assets.

89. (New) The system of claim 88, wherein said first module is further operable to update the delivered asset list if an additional asset is available or one of said one or more assets are no longer available.

90. (New) A system comprising:

a first module for receiving an asset list from at least one content provider, wherein said asset list comprises information relating to one or more assets available to a user device;

a second module for determining if one or more predetermined constraints associated with said user device are satisfied; and

a third module for requesting at least one of said one or more assets if said second module determines that at least one of said one or more predetermined constraints are satisfied.

91. (New) The system of claim 90, and further comprising a fourth module for receiving the requested one of said one or more assets from the content provider.

92. (New) The system of claim 91, wherein said one or more predetermined constraints comprise at least one of a time of day, a CPU usage or a memory usage of said user device being below an operating level, said user device being idle, or a bandwidth usage of said user device being below an operating level.
93. (New) The system of claim 92, wherein said information relating to said one or more assets comprises a location on a network where said one or more assets are stored.
94. (New) The system of claim 91, and further comprising a fifth module for receiving additional content from said content provider or integrating said additional content with said requested one of said one or more assets.
95. (New) The system of claim 94, wherein said one or more assets comprise at least one of audio content, video content, binary data content, text content, or a multimedia file.
96. (New) A system comprising:
- a first module for generating an asset list based at least in part on one or more user preferences, wherein said asset list comprises information relating to one or more assets;
  - a second module for delivering said asset list to a client process associated with a user device;
  - and
  - a third module for delivering at least one or said one or more assets to a user device if said client process determines that one or more predetermined constraints associated with said user device are satisfied.
97. (New) The system of claim 96, wherein said one or more assets comprise one or more media files chosen based at least in part on said one or more user preferences.



98. (New) The system of claim 96, wherein said one or more user preferences comprise at least one of one or more categories of content provided by a content provider or other information relating to a user's interests.

99. (New) A method comprising:

transmitting an update notification to a client process, wherein said update notification at least in part comprises a notification that information relating to one or more assets is available for inclusion in an asset list.

100. (New) The method of claim 99, and further comprising in response to a request from said client process, transmitting an asset list update.

101. (New) The method of claim 100, wherein said update notification comprises information relating to one or more assets available to a user device associated with said client process.

102. (New) The method of claim 99, wherein said update notification comprises a location of an updated asset list available for download by said client process.

103. (New) A system comprising:

a first module operable to transmit an update notification to a client process, wherein said update notification at least in part comprises a notification that information relating to one or more assets is available for inclusion in an asset list.

104. (New) The system of claim 103, and further comprising a second module operable to transmit an asset list update to said client process at least in part in response to a request from said client process.

105. (New) The system of claim 103, wherein said update notification comprises information relating to one or more assets available to a user device associated with said client process.

106. (New) The system of claim 103, wherein said update notification comprises a location of an updated asset list available for download by said client process.